

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49010 of 2021

Arising Out of PS. Case No.-66 Year-2021 Thana- BAKHTIYARPUR District- Patna

1. Nardeep Das Son Of Late Mahangu Das Resident Of Village- Teka Bigha, P.S.- Bakhtiyarpur, District- Patna.
2. Sakaldeep Das Son Of Late Mahangu Das Resident Of Village- Teka Bigha, P.S.- Bakhtiyarpur, District- Patna.
3. Masodhar Das Son Of Sakaldeep Das Resident Of Village- Teka Bigha, P.S.- Bakhtiyarpur, District- Patna.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Tej Narayan Singh
For the State	:	Mr. Bhanu Pratap Singh
For the Informant	:	Mr. Shaukat Alam

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 30-06-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in anticipation of their arrest
in a case registered for the offences punishable under Sections
452, 341, 323, 354, 354(B), 308/ 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that
the petitioners are persons with clean antecedent and the
informant alleges that on 28.03.2021 at 10.00 P.M., Masodhar
Das was trying to peep in the house of the informant, which was
objected by the informant on which, it is alleged that Masodhar
Das, Nardeep Das came armed with lathi, danda and assaulted



the informant causing injury on his head. Thereafter, it is alleged that on 30.03.2021 at 7.00 A.M., Niranjan Das, Masodhar Das and Nardeep Das again came and started teasing the wife of the informant and even disrobed her and also teased the minor daughter of the informant, on which she received injury on her chest.

The learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It absolutely does not stand to reason that when the first occurrence took place on 28.03.2021, why no F.I.R. was instituted. It is next submitted that from the side of the petitioner, Bakhtiyarpur P. S. Case No.65 of 2021 has been instituted against the son of the present informant under Section 376 of the I.P.C. It is on account of the said case, the informant has instituted the present false case only to coerce the petitioner into submission, so that they do not support the Bakhtiyarpur P. S. Case No.65 of 2021.

The learned counsel next submits that admittedly, the injury on the informant is simple in nature and there is no injury of the minor in the case diary.

The learned counsel for the informant as well as learned A.P.P. opposes the bail application, but are not able to



meet the submission of the learned counsel for the petitioners that the F.I.R. against the son of the present informant were instituted and the injury is simple in nature.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Bakhtiyarpur P. S. Case No.66 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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